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August 19, 2008

Via Fax Only

Hon. Harold Baer, Jr.
 Chambers
 United States District Court
 United States Courthouse
 500 Pearl Street
 New York, NY 10007
 Attention: Nathalie Rey, Law Clerk

*RECEIVED
AUG 19 2008*

*U.S. DISTRICT COURT
S.D.N.Y. JUDGE*

RE: CAMOFI Master LDC v. Global Axcess Corp.
Case No. 07 Civ. 9317 (HB)

Dear Judge Baer:

I am a partner at Eaton & Van Winkle LLP, which represents Plaintiff CAMOFI Master LDC ("CAMOFI") in the above-referenced matter. Defendant Global Axcess Corp. ("Global"), represented by Pepper Hamilton LLP, initially moved for summary judgment on or about June 24, 2008. Thereafter, the parties agreed to mediate the matter before a private mediator. Consequently, with the Court's consent, the summary judgment motion was adjourned pending the mediation.

The purpose of this letter is to advise the Court that the mediation, which was held on August 12, 2008, resulted in an agreement between the parties. However, the settlement agreement is contingent on Global obtaining certain financing by November 10, 2008 so that it may satisfy its financial obligations owed to CAMOFI under the parties' settlement agreement.

In order to minimize litigation costs, the parties have suspended discovery and do not intend to engage in any further discovery (despite the discovery deadline of September 30, 2008) or motion practice unless it becomes necessary to do so after November 10, 2008, the date by which either Global will make the settlement payment to CAMOFI or the parties will go back into a litigation mode.

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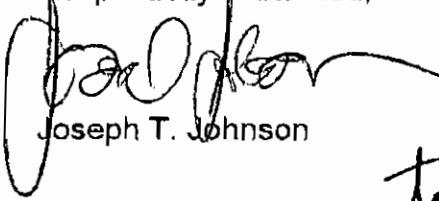
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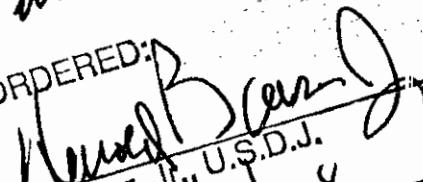
Global anticipates that it will be successful in obtaining financing, and we hope to submit an order of discontinuance for the Court's consideration on or about November 10, 2008. I thank the Court for its time and attention to this matter.

Respectfully submitted,


Joseph T. Johnson

Now we come to do this
but I must take you off
the trial calendar & you
will start from scratch
& if I don't see you by
by Mar 10, the matter
will be dismissed.

SO ORDERED:


Harold Baer, Jr., U.S.D.J.
Date: 8/19/08

Endorsement:

You're welcome to do this but I must take you off the trial calendar and you will start from scratch and if I don't hear from you by November 10 the matter will be dismissed.